

Applicant had other difficulties, as well, in understanding the Examiner's grounds of rejection of claim 1.

MPEP 2131 states:

To anticipate a claim, the reference must teach every element of the claim. "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Despite thorough study of Ivanoff, Applicant has been unable to find the "identical invention" to claim 1 shown there in "as complete detail" as is recited in the claim. To illustrate this difficulty, the following chart shows all the elements and limitations of claim 1 along with the corresponding elements cited by the Examiner in Ivanoff as anticipating claim 1. Applicant's comments, where appropriate, are given in [brackets].

TABLE I - CLAIM CHART FOR CLAIM 1

Claim 1	Examiner citations in Ivanoff
In a cluster of computing nodes having shared access to one or more volumes of data storage using a parallel file system, a method for managing the data storage	Col. 103, line 10 - col. 104, line 47. [The cited passage includes method claims 4-10, which are all drawn to "a method of pacing data communications," rather than "a method for managing the data storage."]
selecting a first one of the nodes to serve as a session manager node	Fig. 6, see CM/SESSION

Claim 1	Examiner citations in Ivanoff
selecting a second one of the nodes to serve as a session node	Fig. 6, CM/SESSION (of adjacent communication manager) and col. 3, lines 40-45: "For each distribution unit, the communication manager determines an adjacent communication manager..."
for a data management application to run on the one or more volumes of data storage	MIB (?) [It is not clear whether the MIB represents a "data management application" or "one or more volumes of data storage." In fact, a MIB is a database, not an application or a storage volume.]
using the parallel file system	?? [There is no mention of any file system in the cited passage (3:40-45), or anywhere else in Ivanoff.]
creating a session of the data management application on the session node	See 3:40-45. [Not clear what element in Ivanoff corresponds to the "data management application." If it is the MIB, Ivanoff makes no mention of "creating a session" of the MIB.]
by sending a message from the session node to the session manager node	Two-way communication link in Fig. 6 between CM/SESSION, MIB and CM-NETWORK... 3:40-45. [Communication between CM/SESSION, CM-NETWORK and MIB is all within the same node. No message of any kind is described in the cited passage.]
causing the session manager node to distribute information regarding the session among the nodes in the cluster	?? [There is no mention in Ivanoff of how a message sent to CM/SESSION (identified above as the session manager node) might cause CM/SESSION to distribute information regarding the session to other nodes.]
responsive to the information distributed by the session manager node, receiving events at the session node from the nodes in the cluster	See 3:40-45. [No mention here of events, and events described elsewhere by Ivanoff are not related in any way to data storage access.]

Claim 1	Examiner citations in Ivanoff
when the nodes access the one or more volumes of data storage using the parallel file system for processing by the data management application	3:40-50 - "The distribution units are then transmitted from the origin communications manager to the adjacent communications manager..." [See above questions regarding data storage and parallel file system. There is no suggestion in Ivanoff of receiving events when data storage (MIB?) is accessed.]

Thus, Applicant respectfully submits that Ivanoff fails to teach or suggest not only the use of a parallel file system, but also numerous other elements of claim 1. Therefore, claim 1 is believed to be patentable over the cited art. In view of the patentability of claim 1, claims 2, 6 and 9-16, which depend from claim 1, are also believed to be patentable.

Independent claims 20 and 39 respectively recite computing apparatus and a computer software product, which operate on principles similar to the method of claim 1. Therefore, for the reasons stated above, amended claims 20 and 39 are likewise believed to be patentable over Ivanoff. In view of the patentability of these independent claims, dependent claims 21, 25, 28-35, 40 and 47-54 are believed to be patentable, as well.

Independent claim 17 recites a method for managing data storage that includes initiating sessions of a parallel data

management application on a plurality of nodes in a cluster.

A data management event is generated when a request is submitted to a parallel file system on one (or more) of the nodes to perform a file operation on a file in a volume of data storage. The event is handled by an instance of the data management application running on the node.

Claim 17 was rejected on the same rationale as claim 1. As noted above, however, Ivanoff does not relate in any substantive manner to storage volumes, parallel file systems, or data management applications involving these elements. Therefore, Applicant respectfully submits that claim 17 is patentable over Ivanoff. In view of the patentability of claim 17, claims 18 and 19, which depend from claim 17, are believed to be patentable, as well.

Independent claims 36 and 55 respectively recite computing apparatus and a computer software product, which operate on principles similar to the method of claim 17. Therefore, for the reasons stated above regarding claim 17, claims 36 and 55 are likewise believed to be patentable over Ivanoff. In view of the patentability of these independent claims, dependent claims 37, 38, 56 and 57 are believed to be patentable, as well.

Claims 3-5, 7, 8, 22-24, 26, 27, 41-43, 45 and 46 were rejected under 35 U.S.C. 103(a) over Ivanoff in view of Stevenson et al. (U.S. Patent 5,023,873) or Dugan et al. (U.S. Patent 6,363,411). Applicant respectfully traverses these rejections. In view of the patentability of independent claims 1, 20 and 39, from which these claims depend, Applicant believes these dependent claims to be patentable, as well, over the cited art.

Applicant believes the amendments and remarks presented hereinabove to be fully responsive to all of the grounds of rejection raised by the Examiner. In view of these amendments and remarks, Applicant respectfully submits that all of the claims in the present application are in order for allowance. Notice to this effect is hereby requested.

If the Examiner has any questions he is invited to contact the undersigned at 202-628-5197.

Appln. No. 09/887,550
Response dated April 5, 2005
Reply to Office Action of January 6, 2005

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By


Ronni S. Jillions
Ronni S. Jillions
Registration No. 31,979

RSJ:tbs

Telephone No.: (202) 628-5197

Facsimile No.: (202) 737-3528

G:\BN\C\colb\Loy1\pto\2005Apr5 Response.doc